

Art Unit 3749

advantage of the provision under 37 CFR 1.136(a), and included the required Petition and Small Entity Fee for the additional one month time limit.

Applicant herewith responds to the Detailed Office Action dated June 8, 2006, as well as that of October 31, 2005, concerning the following items:

Information Disclosure Statement

The Examiner has accepted Applicant's decision not to include the reference in the specification as a proper information disclosure and to omit referencing such disclosure in a separate paper.

Specification

The amendments to the specification filed by Applicant in his last response have been entered.

Drawings

The amended drawings now identifying the insulating material of the Claims have been accepted by the Examiner.

Claim Rejections - 35 USC 112, first paragraph

The Examiner rejects Claim 73 and 83 under 35 USC 112, citing that the Claims contain subject matter not described in the specification such as to reasonably convey to one skilled in the relevant art that the Inventor, at the time the application was filed, had possession of the claimed invention. This of course is incorrect.

The Examiner continues by further stating incorrectly that a fuel consisting of a suspended coal dust or coal dust slurry cannot be considered a FLUID hydrocarbon fuel. Applicant must draw the Examiner's attention to the fact that Applicant has made definite multiple references in the description under the term FLUID HYDROCARBON FUEL, and Applicant will further argue and prove that a fuel consisting of a combination of air and coal dust is considered a FLUID HYDROCARBON FUEL and can no longer be considered a solid fuel. Applicant is at a loss when trying to follow the Examiner reasoning that a FLUID hydrocarbon fuel was not referenced in the description. Furthermore, as it is proper in the Claims of a disclosure to provide limitations to any broader element disclosed previously in a disclosure, such element being the FLUID HYDROCARBON FUEL, and the limitation being a COAL FLUID MIXTURE.

Applicant will cite a number of examples relating to issued Patents in which a fuel mixture consisting of suspended coal dust is designated as a fluid fuel.

In fact, as any person skilled in the art would know, since the mid 1970s a fluid coal dust mixture is considered a CONVENTIONAL FLUID HYDROCARBON FUEL, because from that period on, most coal combustion processes and mechanisms were automated and only coal dust fluid mixtures were used to operate coal fired combustors.

Following are issued US Patents for the process of producing fluid coal fuel, which must be considered a fluid hydrocarbon fuel in the true word.